

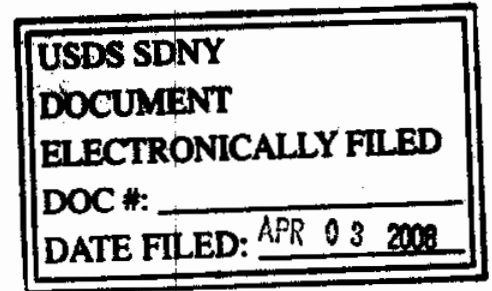
PROB 12B  
(7/93)



United States District Court  
for the  
Eastern District of New York

**Request for Modifying the Conditions of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*



Offender: Hall, Jermaine

Docket Number: 08-CR-274(PAC)

Judicial Officer: Honorable Paul A. Crotty, United States District Judge

Date of Original Sentence: October 27, 2005

Original Offense: Count One: Aiding and Abetting the Making of a False Statement to a Federally Licensed Firearms Dealer During the Acquisition of a Firearm in Violation of 18 USC 922(a)(6) and 924(a)(2), a Class C felony. Count Two: Possession of a Firearm by Convicted Felon in Violation of 18 USC 922(g)(1) and 924(a)(2). Count Three: Possession of a Firearm by Convicted Felon in Violation of 18 USC 922(g)(1) and 924(a)(2).

Original Sentence: Fifteen Months (15) in the Custody of the Bureau of Prisons to be Followed by a Three (3) Year Term of Supervised Release.

Type of Supervision: Supervised Release

Date Supervision Commenced: February 16, 2007

Mr. Hall was originally sentenced by the Honorable Harvey E. Schlesinger, United States District Judge in the Middle District of Florida, Jacksonville Division, under the docket number 3:04-CR-247(S1)-J-20TEM; however, jurisdiction was transferred to Your Honor effective March 28, 2008 under the docket number 08-CR-274(PAC).

**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

[X] The defendant shall submit his person, residence, office or vehicle to a search, conducted by a United States Probation Officer at reasonable time and in a reasonable manner, based upon a reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation, the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.

[X] The defendant will participate in a program approved by the United States Probation Office for substance abuse, which program may include testing to determine whether the offender has reverted to the use of drugs or alcohol. The offender will be required to contribute to the costs of services rendered (copayment) in an amount to be determined by the probation officer, based on ability to pay or availability of third-party payment.

MEMO ENDORSED

MEMO ENDORSED

Hall, Jermaine

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P51042/ASP

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**CAUSE**

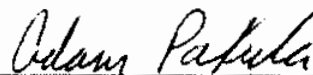
Mr. Hall was convicted of making false statements to a federally licensed firearms dealer during the acquisition of a firearm and felon in possession of a firearm. Hall possessed a firearm which had been previously observed by authorities during a criminal investigation in the possession of a codefendant in the instant case. Hall has a lengthy criminal history which includes criminal possession of a controlled substance, theft, fraud, domestic battery, rape and another firearms related offense. Furthermore, Hall has a history of substance abuse. His drug of choice was powder cocaine, of which he used on a frequent basis prior to his arrest on the instant offense. Recently, Hall tested positive for cocaine on January 15, 2008. To ensure necessary rehabilitation, appropriate therapeutic treatment, and to provide more effective protection for the community, Mr. Hall has consented to the proposed modifications of his conditions of supervised release.

**SUMMARY OF COMPLIANCE WITH SUPERVISION CONDITIONS**

Since the commencement of his supervision term on July 2007, the defendant has tested positive for the presence of Cocaine. He presently resides at 760 East 166<sup>th</sup> Street, Apt#2D, Bronx, NY, with his mother, Cynthia Kitchen and two other siblings. He has reported as directed, and submitted all required Monthly Supervision Reports. Hall is presently employed with Liberty One Delivery Consultants and delivers AM-NY newspapers to commuters as they are exiting the subway station on the corner of 16<sup>th</sup> Street and 8<sup>th</sup> Avenue in Manhattan. It is the belief that this offender would display a more positive re-integration into the community with these conditions as necessary treatment and a deterrent, while simultaneously enabling better protection for the community

Respectfully submitted,

by



Adam Pakula  
United States Probation Officer  
(212) 805-5171

Approved By:



4/3/08

Peter A. Merrigan  
Supervising U.S. Probation Officer

Date

PROB 49

Waiver of Hearing to Modify Conditions  
of Supervised Release

**UNITED STATES DISTRICT COURT  
for the  
SOUTHERN DISTRICT OF NEW YORK**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

**The defendant shall submit his person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon a reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation, the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.**

Witness: Adam Pakula  
U.S. Probation Officer

Signed: Sermain Hall  
Supervised Releasee

7/19/07  
DATE

PROB 49

Waiver of Hearing to Modify Conditions  
of Supervised Release


**UNITED STATES DISTRICT COURT  
for the  
SOUTHERN DISTRICT OF NEW YORK**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

**IF DIRECTED BY THE PROBATION OFFICER, THE DEFENDANT SHALL PARTICIPATE IN A PROGRAM APPROVED BY THE UNITED STATES PROBATION OFFICE, WHICH PROGRAM MAY INCLUDE TESTING TO DETERMINE WHETHER THE DEFENDANT HAS REVERTED TO USING DRUGS OR ALCOHOL. THE COURT AUTHORIZES THE RELEASE OF AVAILABLE DRUG TREATMENT EVALUATIONS AND REPORTS TO THE SUBSTANCE ABUSE TREATMENT PROVIDER, AS APPROVED BY THE PROBATION OFFICER. THE DEFENDANT WILL BE REQUIRED TO CONTRIBUTE TO THE COSTS OF SERVICES RENDERED (CO-PAYMENT), IN AN AMOUNT DETERMINED BY THE PROBATION OFFICER, BASED ON ABILITY TO PAY OR AVAILABILITY OF THIRD PARTY PAYMENT.**

Witness:

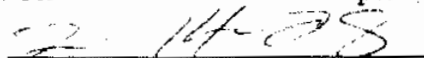


U.S. Probation Officer

Signed:



Supervised Releasee



DATE

Hall, Jermaine

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08-CR-274(PAC)




**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PROBATION OFFICE**

*Judicial Response*

**THE COURT ORDERS:**

- [ ☒ ] The Court Approves the Modifications of the Condition of Supervision as Noted Above.
- [ ☐ ] No Action
- [ ☐ ] Other

  
Signature of Judicial Officer

  
Date